

Remarks:

Reconsideration of the application is requested.

Claims 7, 13 to 15, 23 to 25, 28, 30 to 35, 37, 43, 45 to 58, 69 to 74, 77, 78, 81 to 83, and 85 to 89 remain in the application. Claims 7, 13, 14, 23, 24, 28, 30, 31, 34, 37, 43, 45, 69, 70 to 74, 77, 81, 85, 86, 87, and 88 have been amended. A marked-up version of the claims is attached hereto on separate pages. Claims 3, 4, 5, 6, 8 to 12, 16 to 22, 26, 27, 29, 36, 38 to 42, 44, 59, 60, 62 to 64, 67, 68, 75, 76, 79, 84, 90, 91, and 93 to 95 have been canceled to facilitate prosecution of the instant application, and claims 1, 2, 61, 65, 66, and 92 were canceled in a previous amendment.

On page 5 of the above-identified Office action, the Examiner indicated that claims 7, 13 to 15, 23 to 25, 28, 30 to 35, 37, 43, 45 to 58, 69 to 74, 77, 78, 81 to 83, and 85 to 89 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." Applicant has rewritten each of the claims in independent form. Specifically, the features of claim 59 has been incorporated into claims 7, 31, 34, and 45, the features of claims 59 and 12 have been incorporated into claims 13 and 14, the features of claims 59 and 22 have been incorporated into claims 23, 24, and 28, the features of claims 59 and 29 have been incorporated into claim 30, and the features of claims 59

and 5 have been incorporated into claims 37 and 43. Also, the features of claim 90 have been incorporated into claims 69 to 74, 87, and 88, and the features of claims 90 and 76 have been incorporated into claim 77, the features of claims 90, 79, and 80 have been incorporated into claim 81, the features of claims 90, 79, and 84 have been incorporated into claim 85, and the features of claims 90, 79, and 84 have been incorporated into claim 86.

In view of the foregoing, reconsideration and allowance of claims 7, 13 to 15, 23 to 25, 28, 30 to 35, 37, 43, 45 to 58, 69 to 74, 77, 78, 80 to 83, and 85 to 89 are solicited.

Insofar as all of the rejection claims have been canceled, all rejections on pages 2 to 5 of the above-identified Office action are now believed to be moot.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out. In the alternative, the entry of the amendment is requested, as it is believed to place the application in better condition for appeal, without requiring extension of the field of search.

If an extension of time for this paper is required, petition for extension is herewith made.

The fee for fourteen independent claims has already been paid. The fee for ten (10) additional independent claims in the amount of \$420 is enclosed herewith.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

  
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Version of Claims With Markings to Show Changes Made:

Claim 7 (twice amended). [The toy according to claim 59,  
wherein] A modular house toy, comprising:

a solid [said] floor [has] having a top side with two pairs of  
floor depressions;

a solid [said] ceiling [has] having a bottom side with two  
pairs of ceiling depressions;

a solid back wall permanently connecting said floor to said  
ceiling, said back wall [has] having:

two lower wall extensions inserted into a first of said  
two pairs of floor depressions; and

two upper wall extensions inserted into a first of said  
two pairs of ceiling depressions to permanently connect  
said floor to said ceiling in a first vertical connection  
plane; and

an open arch permanently connecting said floor to said  
ceiling, said arch [has] having:

two lower arch extensions inserted into a second of said  
two pairs of floor depressions; and

two upper arch extensions inserted into a second of said two pairs of ceiling depressions to permanently connect said floor to said ceiling in a second vertical connection plane different from said first vertical connection plane.

\* Claim 13 (amended). [The toy according to claim 12, wherein:]

A modular house toy, comprising:

a solid floor having four side walls;

a solid ceiling;

a solid back wall permanently connecting said floor to said ceiling; and

an open arch permanently connecting said floor to said ceiling; and

each of said four side walls having a cavity and a projection,  
each cavity [has] having a rectangular shape, [;] and each  
projection [has] having a rectangular shape corresponding to  
said rectangular shape of said cavity.

\* Claim 14 (amended). [The toy according to claim 12, wherein:]

A modular house toy, comprising:

a solid floor having four side walls, each of said four side walls having a cavity and a projection, each cavity [has] having a cavity recess[;], each projection [has] having a projection recess;

a solid ceiling;

a solid back wall permanently connecting said floor to said ceiling;

an open arch permanently connecting said floor to said ceiling; and

a fastener [is] being disposed in each of said cavity recess and said projection recess.

\* Claim 23 (amended). [The toy according to claim 22, wherein:]

A modular house toy, comprising:

a solid floor;

a solid ceiling having four side walls, each of said four side walls having a cavity and a projection, each cavity [has]

having a rectangular shape{;}, and each projection [has]  
having a rectangular shape corresponding to said rectangular  
shape of said cavity;

a solid back wall permanently connecting said floor to said  
ceiling; and

an open arch permanently connecting said floor to said  
ceiling.

\* Claim 24 (amended). [The toy according to claim 22, wherein:]

A modular house toy, comprising:

a solid floor;

a solid ceiling having four side walls, each of said four side  
walls having a cavity and a projection, each cavity [has]  
having a cavity recess, each projection [has] having a  
projection recess;

a solid back wall permanently connecting said floor to said  
ceiling; and

an open arch permanently connecting said floor to said  
ceiling; and

a fastener [is] being disposed in each of said cavity recess and said projection recess.

Claim 28 (amended). [The toy according to claim 22, wherein:]

\* A modular house toy, comprising:

[said] a solid floor having four floor side walls, each of said four floor side walls [has] having a floor cavity and a floor projection[;], and said cavity and said projection [are] being staggered with respect to said floor cavity and said floor projection;

a solid ceiling having four side walls, each of said four side walls having a cavity and a projection;

a solid back wall permanently connecting said floor to said ceiling; and

an open arch permanently connecting said floor to said ceiling.

\* Claim 30 (amended). [The toy according to claim 29, including] A modular house toy, comprising:

a solid floor;



a solid ceiling having a top side and four side walls, said four side walls and said top side forming a one-piece open box;

a solid back wall permanently connecting said floor to said ceiling;

an open arch permanently connecting said floor to said ceiling; and

a plate connected to said open box and closing said open box.

Claim 31 (twice amended). [The toy according to claim 59, wherein:] A modular house toy, comprising:

a solid floor;

a solid [said] ceiling [has] having a top side defining a plane, [; and] said top side [has] having at least one flange projecting transverse to said plane;

a solid back wall permanently connecting said floor to said ceiling; and

an open arch permanently connecting said floor to said ceiling.

Claim 34 (twice amended). [The toy according to claim 59,  
wherein:] A modular house toy, comprising:

a solid floor;

[said] a solid ceiling [has] having a top side;

a solid back wall permanently connecting said floor to said  
ceiling;

an open arch permanently connecting said floor to said  
ceiling; and

a roof [is] removably connected to said top side.

Claim 37 (amended). [The toy according to claim 5, wherein] A  
modular house toy, comprising:

a solid floor having floor depressions;

a solid ceiling having ceiling depressions;

a solid back wall permanently connecting said floor to said  
ceiling, said back wall having wall extensions, said wall  
extensions [have] having a bore with a thread for receiving a

screw, at least one of said wall extensions being inserted into at least one of said floor depressions and at least one of said wall extensions being inserted into at least one of said ceiling depressions to permanently connect said floor to said ceiling; and

an open arch permanently connecting said floor to said ceiling, said arch having arch extensions, at least one of said arch extensions being inserted into at least one of said floor depressions and at least one of said arch extensions being inserted into at least one of said ceiling depressions to permanently connect said floor to said ceiling.

Claim 43 (amended). [The toy according to claim 5, wherein] A modular house toy, comprising:

a solid floor having floor depressions;

a solid ceiling having ceiling depressions;

a solid back wall permanently connecting said floor to said ceiling, said back wall having wall extensions, at least one of said wall extensions being inserted into at least one of said floor depressions and at least one of said wall extensions being inserted into at least one of said ceiling

depressions to permanently connect said floor to said ceiling;  
and

an open arch permanently connecting said floor to said  
ceiling, said arch having arch extensions, at least one of  
said arch extensions being inserted into at least one of said  
floor depressions and at least one of said arch extensions  
being inserted into at least one of said ceiling depressions  
to permanently connect said floor to said ceiling, each of  
said arch extensions [have] having a bore with a thread for  
receiving a screw.

Claim 45 (amended). [The toy according to claim 59, wherein:]

A modular house toy, comprising:

a solid floor;

a solid ceiling;

a solid back wall permanently connecting said floor to said  
ceiling;

an open arch permanently connecting said floor to said  
ceiling;

said floor, said ceiling, and at least one of said back wall and said arch define a side opening; and

a side wall [is] being removably connected at said side opening.

Claim 69 (twice amended). [The toy configuration according to claim 90, wherein:] A modular house toy configuration, comprising:

at least first and second fixed supporting structures each having:

[said] a solid floor [has] having a top side with two pairs of floor depressions;

[said] a solid ceiling [has] having a bottom side with two pairs of ceiling depressions;

[said] a solid back wall permanently connecting said floor to said ceiling, said back wall [has] having:

two lower wall extensions inserted into a first of said two pairs of floor depressions; and

two upper wall extensions inserted into a first of said two pairs of ceiling depressions to permanently connect said solid floor to said solid ceiling in a first vertical connection plane; [and]

an open arch permanently connecting said floor to said ceiling, said arch [has] having:

two lower arch extensions inserted into a second of said two pairs of floor depressions; and

two upper arch extensions inserted into a second of said two pairs of ceiling depressions to permanently connect said floor to said ceiling in a second vertical connection plane different from said first vertical connection plane; and

said first fixed supporting structure removably connected to said second fixed supporting structure.

Claim 70 (twice amended). [The toy configuration according to claim 90, wherein:] A modular house toy configuration, comprising:

at least first and second fixed supporting structures each having:

a solid floor;

a solid ceiling;

a solid back wall permanently connecting said floor to  
said ceiling;

an open arch permanently connecting said floor to said  
ceiling; and

said first fixed supporting structure removably connected to  
said second fixed supporting structure;

said floor of said first fixed supporting structure [has]  
having a first floor shape;

said floor of said second fixed supporting structure [has]  
having a second floor shape substantially identical to said  
first floor shape;

said ceiling of said first fixed supporting structure [has]  
having a first ceiling shape;

said ceiling of said second fixed supporting structure [has]  
having second ceiling shape substantially identical to said  
first ceiling shape;

said back wall of said first fixed supporting structure [has]  
having a first back wall shape;

said back wall of said second fixed supporting structure [has]  
having a second back wall shape substantially identical to  
said first back wall shape;

said arch of said first fixed supporting structure [has]  
having a first arch shape; and

said arch of said second fixed supporting structure [has]  
having a second arch shape substantially identical to said  
first arch shape.

Claim 71 (twice amended). [The toy configuration according to  
claim 90, wherein:] A modular house toy configuration,  
comprising:

at least first and second fixed supporting structures each  
having:

a solid floor;



a solid ceiling;

a solid back wall permanently connecting said floor to  
said ceiling; and

an open arch permanently connecting said floor to said  
ceiling;

said first fixed supporting structure removably connected to  
said second fixed supporting structure;

said floor of said first fixed supporting structure [has]  
having an exterior shape;

said floor of said second fixed supporting structure [has]  
having a second exterior shape substantially identical to said  
exterior shape;

said ceiling of said first fixed supporting structure [has]  
having a third exterior shape substantially identical to said  
exterior shape; and

said ceiling of said second fixed supporting structure [has]  
having a fourth exterior shape substantially identical to said  
exterior shape.

Claim 72 (twice amended). [The toy configuration according to claim 90, wherein:] A modular house toy configuration, comprising:

at least first and second fixed supporting structures each having:

a solid floor;

a solid ceiling;

a solid back wall permanently connecting said floor to said ceiling; and

an open arch permanently connecting said floor to said ceiling;

said first fixed supporting structure removably connected to said second fixed supporting structure;

said back wall of said first fixed supporting structure [has] having an exterior shape;

said back wall of said second fixed supporting structure [has]  
having a second exterior shape substantially identical to said  
exterior shape;

said arch of said first fixed supporting structure [has]  
having a third exterior shape substantially identical to said  
exterior shape; and

said arch of said second fixed supporting structure [has]  
having a fourth exterior shape substantially identical to said  
exterior shape.

Claim 73 (twice amended). [The toy configuration according to  
claim 90, wherein:] A modular house toy configuration,  
comprising:

at least first and second fixed supporting structures each  
having:

a solid floor;

a solid ceiling;

a solid back wall permanently connecting said floor to  
said ceiling; and

an open arch permanently connecting said floor to said ceiling;

said first fixed supporting structure removably connected to said second fixed supporting structure;

said ceiling of said first fixed supporting structure [has] having four first side walls each with a first cavity and a first projection;

said ceiling of said second fixed supporting structure [has] having four second side walls each with a second cavity and a second projection; and

said first projection [is] being removably inserted into said second cavity and said second projection [is] being removably inserted into said first cavity when said ceiling of said first fixed supporting structure is placed adjacent said ceiling of said second fixed supporting structure.

Claim 74 (twice amended). [The toy configuration according to claim 90, wherein:] A modular house toy configuration, comprising:

at least first and second fixed supporting structures each having:

a solid floor;

a solid ceiling;

a solid back wall permanently connecting said floor to  
said ceiling; and

an open arch permanently connecting said floor to said  
ceiling;

said first fixed supporting structure removably connected to  
said second fixed supporting structure;

said floor of said first fixed supporting structure [has]  
having four first floor side walls each with a first floor  
cavity and a first floor projection;

said ceiling of said first fixed supporting structure [has]  
having four first ceiling side walls each with a first ceiling  
cavity and a first ceiling projection;

said floor of said second fixed supporting structure [has]  
having four second floor side walls each with a second floor  
cavity and a second floor projection;

said ceiling of said second fixed supporting structure [has]  
having four second ceiling side walls each with a second  
ceiling cavity and a second ceiling projection; and

when said floor of said first fixed supporting structure is  
placed immediately adjacent said floor of said second fixed  
supporting structure and said ceiling of said first fixed  
supporting structure is simultaneously placed immediately  
adjacent said ceiling of said second fixed supporting  
structure:

said first floor projection, said second floor  
projection, said first ceiling projection, and said  
second ceiling projection [are] being simultaneously  
removably inserted into a respective one of said second  
floor cavity, said first floor cavity, said second  
ceiling cavity, and said first ceiling cavity.

Claim 77 (amended). [The toy configuration according to claim  
76, wherein] A modular house toy configuration, comprising:

at least first and second fixed supporting structures each  
having:

a solid floor;

a solid ceiling;

a solid back wall permanently connecting said floor to  
said ceiling; and

an open arch permanently connecting said floor to said  
ceiling;

said first fixed supporting structure removably connected to  
said second fixed supporting structure, said first fixed  
supporting structure being a cube having a given length, a  
given width, and a given height;

said second fixed supporting structure being a cube having  
said given length, said given width, and said given height;  
and

said first fixed supporting structure [has] having six sides  
and [is] being removably connectable to said second fixed  
supporting structure at every one of said six sides.

Claim 81 (amended). [The toy configuration according to claim  
80, wherein:] A modular house toy configuration, comprising:

at least first and second fixed supporting structures each  
having:

a solid floor having a bottom side;

a solid ceiling having a top side with a connector for  
releasably connecting another of said fixed supporting  
structures on said top side, said connector releasably  
connecting a top side of one of said fixed supporting  
structures to said bottom side of another of said fixed  
supporting structures;

a solid back wall permanently connecting said floor to  
said ceiling;

an open arch permanently connecting said floor to said  
ceiling;

said first fixed supporting structure removably connected to  
said second fixed supporting structure;

said connector [has] having two parts;

a first of said two parts [is] being disposed on said top  
side; and

a second of said two parts [is] being disposed on said bottom  
side.



Claim 85 (amended). [The toy configuration according to claim 84, wherein] A modular house toy configuration, comprising:

at least first and second fixed supporting structures each having:

a solid floor;

a solid ceiling, said ceiling having a top side with a connector for releasably connecting another of said fixed supporting structures on said top side, said connector being [said at least one flange is] at least four flanges;

a solid back wall permanently connecting said floor to said ceiling; and

an open arch permanently connecting said floor to said ceiling; and

said first fixed supporting structure removably connected to said second fixed supporting structure.

Claim 86 (amended). [The toy configuration according to claim 84, wherein] A modular house toy configuration, comprising:

at least first and second fixed supporting structures each having:

a solid floor;

a solid ceiling, said ceiling having a top side with a connector for releasably connecting another of said fixed supporting structures on said top side, said connector being [said at least one flange is] eight flanges;

a solid back wall permanently connecting said floor to said ceiling;

an open arch permanently connecting said floor to said ceiling; and

said first fixed supporting structure removably connected to said second fixed supporting structure.

Claim 87 (twice amended). [The toy configuration according to claim 90, wherein:] A modular house toy configuration, comprising:

at least first and second fixed supporting structures each having:

a solid floor;

[said] a solid ceiling [has] having a top side;

a solid back wall permanently connecting said floor to  
said ceiling;

an open arch permanently connecting said floor to said  
ceiling; and

a roof [is] removably connected to said top side; and

said first fixed supporting structure removably connected to  
said second fixed supporting structure.

Claim 88 (twice amended). [The toy configuration according to  
claim 90, wherein:] A modular house toy configuration,  
comprising:

at least first and second fixed supporting structures each  
having:

a solid floor;

[said] a solid ceiling [has] having a top side with a connector;

a solid back wall permanently connecting said floor to said ceiling;

an open arch permanently connecting said floor to said ceiling; and

a roof [is] removably connected to said top side by said connector; and

said first fixed supporting structure removably connected to said second fixed supporting structure.